

IN THE UNITED STATES DISTRICT COURT  
FOR THE \_\_\_\_\_ DISTRICT OF TENNESSEE  
\_\_\_\_\_  
DIVISION

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OCT 28 2013

U.S. DISTRICT COURT  
MID. DIST. TENN.

Oswald U. Nelson, )  
\_\_\_\_\_, )  
\_\_\_\_\_, )  
\_\_\_\_\_, )  
Plaintiff(s), )

Vs. )

Docket/Complaint No. \_\_\_\_\_

Dr. Trainum and Medical and Mental Health Corp )  
or main Medical and Mental Health provider )  
Mrs. Henson (P.C. unit manager), )  
Mrs. Pierce (classification) )  
Respondents. (ALL AT Individual and )  
official Capacity )

~~JURY TRIAL DEMANDED~~

\* settle \*

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS  
UNDER 42 U.S.C. §1983

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes ☒ ) No ( )
- B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit on another piece of paper, using the same outline.)

Plaintiff(s)

Oswald Nelson

Defendant(s) Davidson County Sherriffs Office

2. Court [if federal court, name the district; if state court, name the county]

Federal Court Nash Davidson

3. Docket number: 0514

4. Name of judge to whom case was assigned: Trauger

5. Disposition [for example: was the case dismissed? Was it appealed? Is it still pending?]

on appeal now

6. Approximate date of filing lawsuit: March, 2011

7. Approximate date of disposition: June, 2012

**II. PLACE OF PRESENT CONFINEMENT:**

**Hardeman County Correctional Facility  
2520 Union Springs Road  
PO Box 549  
Whiteville, TN 38075-0549**

A. Is there a prisoner grievance procedure in this institution? Yes (✓) No ( )

B. Did you present the facts relating to your Complaint in the state prisoner grievance procedure? Yes (✓) No ( )

C. If your answer is yes,

1. What steps did you take? grieved, talked to sgt, Lt, Captains, and Warden and internal Affairs

2. What was the result? nothing

D. If your answer is "no" explain why not: its unexplainable because the who are over me just dont get rule, laws, polices or think that they are above the law

E. If there is no prisoner grievance procedure in the institution, did you complain to prison authorities? Yes ( ) No ( )

F. If your answer is yes,

1. What steps did you take? \_\_\_\_\_

2. What was the result? \_\_\_\_\_

### III. PARTIES:

[In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.]

A. Name of Plaintiff(s): Oswald U. Nelson

Address: P.O Box 549 Whiteville, Tenn. 38075

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[In item B below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item C for the names, positions and places of employment of any additional Defendants.]

B. Name of Defendant: Dr. Traneum, is employed  
as Mental Health at Hardemon County Correction

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Name(s) of additional Defendants: Mental Health Co-op and or  
Main Medical and Mental Health Provider

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#### IV. STATEMENT OF CLAIM:

[State here as briefly as possible the **facts** of your case. Describe how each Defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach additional sheets if needed.]

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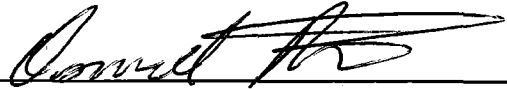
**V. RELIEF**

[State briefly **EXACTLY** what you want the Court to do for you.] Make no legal arguments.

Cite no statutes.]


Plaintiff is seeking 10 million from Hardemon Counties  
Mental Health ~~and~~ Doctors and medical <sup>and</sup> providers.  
Plaintiff is seeking 5 million from Corrections  
Corperation of America and employees

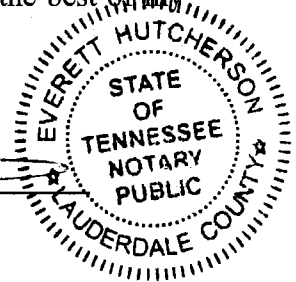
Signed on this 2 day of October, 2013.

  
Plaintiff

I declare under penalty of perjury that the foregoing is true and exact, to the best of my knowledge, information and belief.

10-2-13  
Date

  
Plaintiff



**DETERMINATION OF NON-INDIGENCY**

It appearing based upon the Affidavit of Indigency filed in this Cause and after inquiry made that the Plaintiff is not an indigent person because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
HONORABLE JUDGE

**NOTICE:** If the judge determines that based upon your affidavit you are not eligible to proceed under a pauper's oath, you have the right to a hearing before the judge or, in those cases that can be appealed to Circuit Court, a hearing before the Circuit Court Judge.

(1)

## Defendants Positions and Work

Dr. Trainum and Main Mental Health Provider  
 Hardemore County Corrections  
 Mrs. Henson (P.C. unit manager / classification)  
 Hardemore County Corrections  
 Mrs. Pierce (classification)  
 Hardemore County Corrections  
 Mr. Corman (R-Dope Program Manager)  
 Hardemore County Corrections  
 Corrections Corporation of America  
 Hardemore County Corrections  
 Mrs. Tiptone (medical supervisor)  
 Hardemore County Corrections  
 Dr. Kirt (Mental Health Doctor)  
 Hardemore County Corrections  
 Mr. Tiptone (Officer)  
 Hardemore County Corrections  
 Sgt. Robinson  
 Hardemore County Corrections  
 The Lady Internal Affairs  
 Hardemore County Corrections  
 Warden Steele  
 Lois Deberry Special Needs  
 Bob Erwin  
 Lois Deberry Special Needs  
 Dr. O'Toole (Mental Health Doctor Lois Deberry Special Needs)  
 Warden Donahue (Warden Hardemore County Corrections)

①

## Defendants

Mr. Corman (R-Dupe Program Manager)  
Corrections Corpertam Of America  
Mrs. Tiptone (medical supervisor)  
Dr. Kirt (mental Health Doctor)  
Mr. Tiptone (officer)  
Sgt. Robinson  
The lady internal affairs  
Warden Steele (Deberry Special Needs)  
Bob Erwin (Deberry classification)  
Dr. O'Towl (Deberry Mental Health Doctor)  
Warden Donahue (Hardemone Warden)

## Statement Of Claim

Unit Manager Henson (over protective custody)

She allowed me to be put on Hardemon Counties Compound for knowing I was sent back from Whiteville Corrections by Dr. Turner and Warden Barber for Mental reasons (bi-polar with psychotic features and very paranoid) that I had been seriously injured stills injured, inappropriate touched several times by a male staff at Special Needs ~~happ~~ hadden had any Mental Health treatment because I was working, I had just came off of P.C. at Charles Bass, but conspired with Bob Erwin and Dr. Toul to bring me here, but she actually put me on Hardemon Counties Compound (F-unit in August) when Mrs. Larner, and Mrs. Woods was trying to get me in a program while they were absent Mrs. Henson pushed me out to the compound.

Mrs. Pierce (classification) and Mr. Corman (L-unit R-Dape Manager Federal Program Funds) conspired together on just placing with the proper celly it was possible for me to graduate the program but they wouldn't get me the right celly and they don't want to deal with the open homosexual problems. So they moved me about 5 or 6 times within a couple of months while paranoid, hulkating, and thinking people were prisoning me. Mr. Corman he has 30-4 staff under him he wouldn't, I mean wouldn't allow the staff to work with me or even take the fall, because he was so obsessed with me I couldn't even talk to the others with out him jumping in not even allowing them to work. While having all these episodes Dr. Trainum or Mental Health no were to be found. We were on lock down in August or September I was off all of my Meds for about a month and I ~~Mr~~ signed a refusal and Mental Health didn't even come see me. Again Mrs. Pierce (classification) conspired with Unit Manager Henson to put me on the main compound both for knowing all my problems. It was <sup>Mr. Corman</sup> a number of times I would be asking the other staff questions and he would run in aggressive and make me stop talking, face the wall and put your hands on the wall. One day he wrote me a class (A) write up ~~because~~ and sent me to the hole because my celly was playing homosexual games, I talked to Sgts., Lt, and Captains but things got worse. About 6 times I've been moved Mrs. Pierce but me in the celly with <sup>men who try</sup> to come on to me Mr. Corman (R-Dape) was made because I wouldn't give in to his homosexual advances. Mr. Corman and Dr. Trainum knew that I was off of my Meds because of the gang violence up here I can't be on meds and still have to defend my self just like at Lois Deberry Special Needs. They both knew that I was hulkating telling people that they were prisoning me in the Chow hall and everywhere else on the compound. Mr. Corman and Dr. Trainum

(2)

allowed me off my meds. not seen for a month and in a unit tripping out. Mr. Corman wouldn't allow the his other 4 or 5 counsellors to work with me he would always jump in the middle of our conversation and give me a order to stop talking, Mr. Corman use to make passes at me, I'm bi-polar and I was excepted into a behavior modification program. All of these acts are deliberate indifference and cruel and unusual for the simple fact that all of these C.C.A. foreknew or should've my situations and not conspired for personal gain or just to be mischief

Dr. Trainum allowed me on the compound foreknowing my inquiries and Mental Health condition and that I was sent back to Charles Bass for Mental Health then Special Needs were I was working and didn't receive Mental Health services so I was dilibrady sent up here inquired which was cruel and I told her several times Dr. Trainum send me back and she didn't so she was anticipating something to happen to me while here and it's been some close calls. I've been here since August of 2012 haven't seen her but 3 or 4 times and I'm Bi-polar, manic, paranoid syts., she's putting my life in danger with gang violence when my situation at Deberry wasn't my fault the officers could've stopped the fight at any time we actually fought twice and the second time I got hospitalized. She's dilibrately not giving me therapy I need to see a shrink about once a week I've filed out sick calls and grieved about getting my meds so early at 4:30 or 5:00pm they put me to sleep and their gangs members and violent people their moving in Mental Health ~~where~~ arent Mental Health so I have to think about defending myself because I officers arent. When Dr. Trainum and classification excepted me they knew the seriousness of my Mental Health there knew my inquiries and that I needed a lot of therapy and things that not provided here im Level 3 so when I talk to Dr. Trainum I'm telling her can you get me back to Special Needs. Its been about 8 months I'm being deprived of services for my Mental Health at Special Needs. Plus we were on lockdown in August 2012 for gang wars I'm for what's right, so I sign a refusal for meds. to see Dr. Trainum and it took her a month to see me in the process I'm thinking people prisoning I'm paranoid thinking people out to get me and me not in my right mind I'm confronting these people and people ready to do harm to me because they don't know my illness and this went on from around August to December

I'm out of mind confronting people about what their doing but im  
 out of my mind and Dr. Trainum and no C.C.A staff helped  
 me it was the grace of God. That right their is cruel and unusual  
 and dilibrate indifferences, Im continued to be punished for not being  
 involved with staff members and doing right. This wasnt my fault I  
 was inquired in Mental Health I wasnt suppose to be in unit 4 I  
 was suppose to be in the Mental Health unit. Officer Perez and McCoy  
 allowed me to be assaulted. I was placed on P.C. then shipped to  
 Hardemore County on P.C., then placed on Hardemore County main  
 compound with undivined tension from the situation. I havent done  
 anything wrong but have been thru so many hands and no is making  
 the right decisions for my Mental Health or my safety, they've all  
 conspired together. Now Im in the Middle still suffering and being  
 deprived of privileges and safety, and peace of mind because my over  
 seers are at war with each other. So far that should satisfy dilibrate  
 indifferences and cruel and unusual punishment, Plus I've witnesses.  
 It was cruel and unusual and dilibrate indifferences excepting me back to  
 a C.C.A. facility under my circumstances inquired with no Mental  
 Health program or services. That's why the situation at Special Needs occurred  
 my meds were off and I keep telling everyone wouldn't no one listen  
 and they continued to put me in very stressful situation. Per T.D. Orc and  
 C.C.A. you are suppose to classified to the best place to satisfy your  
 over all needs. I was at Special Needs in Level 3 with sycodic features,  
 and I was shipped to war just because they werent doing their jobs  
 at Special Needs. Dr. Trainum ; C.C.A, and Mental Health Coop allowed  
 me to be inquired several times, not properly placed, dilibrate indiffered  
 and off my meds. and not enter vening in getting me properly placed  
 and starting my Mental Health therapy which is offered at Lois Deberry  
 Special Needs. I was out of my mind for at least 6 months I grieved  
 about the situation and still nothing really its to late the damage  
 as has been done. When I was excepted back to C.C.A. their all  
 for knew all of my situations and my Mental Health problems so  
 I shouldn't have been excepted under all my circumstances, but  
 was and still deprived and dilibrateby indiffered, because of my Mental  
 condition for this so far 2 year period. I've been incarcerated since  
 Sept. 2010 in prison now Dec. 2012 I get excepted to a Mental Health  
 program. So thats 2 years in dilibrate indifferences, cruel and unusual  
 unusual, and acting under the color of state law in it self.

Might I add that all of these wrongs are being done to a person who is explaining problems to the proper people, for telling them my past problems and situation and telling them the proper ~~sst~~ solution send me back to Lois Deberry Special Needs now 6 or 8 months later they come up talking about Special Needs I've been telling them that since I first arrived now I've been thru so many close calls, danger out of my mind, not knowing who to trust, homosexualized again and asking for help and not given, and every here staff members act like they don't know what's going on in a threat to myself the inmates, and staff if my mind's not functioning properly I've witnesses. Recently I was switched from Dr. Trainum to Dr. Turner if she was doing her job why switch that in itself proves dilibriate indifference, cruel and unusual, and acting under the color of state law these claims under Dr. Trainum was over a 6 to 8 month period. She allowed me halfway out of mind for knowing my illnesses and the incidents I had been in on Hardemore Counties compound. Mrs. Tiptone (medical supervisor) I grieved several times and and talked to her personally and I was on Hardemore Counties Compound for about a year out of my mind and life in danger for gang violence and my paperwork went thru her hands and she did nothing.